

DISTRICT FIVE

2000 ANNUAL PRO BONO

REPORT AND PLAN



This Annual Pro Bono Report and Plan is made pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct.

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District 5
Annual Pro Bono Plan
2000`

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A. Abstract-

Preamble: It is fully recognized that attorneys are already engaged in providing pro bono services. However, it is also recognized that there is an even greater need that is presently unmet and must be addressed. If we are to remain a nation of laws, the law must be accessible to all. Attorneys are the gatekeepers of the legal system, and alone possess the “keys” to access this system. Yet many people, regardless of their legal problem and need for legal assistance, for a variety of reasons, often financial, would never think of approaching an attorney for help.

Mission Statement: The primary goal of this plan is to work for “Equal Access to Justice” for persons of limited means. To this end, it adopts the goals as set out in Rule 6.5 of the Indiana Rules of Professional Conduct as follows:

- (1) To enable Indiana attorneys to discharge their professional responsibilities to provide pro bono services;
- (2) To improve the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations throughout the state of Indiana;
- (3) To ensure statewide access to high quality and timely pro bono civil legal services for persons of limited means by (i) fostering the development of new pro bono programs where needed and (ii) supporting and improving the quality of existing pro bono programs;
- (4) To foster the growth of a public service culture within the Indiana Bar which values pro bono publico service;
- (5) To promote the ongoing development of financial and other resources for pro bono organizations in Indiana;

History: Miami Superior Court Judge Daniel C. Banina accepted Chairmanship of the District 5 Pro Bono Committee upon request of Chief Justice Randall T. Shepard in March, 1999. The District 5 Committee organized and has met on a monthly basis since August 1999. The Committee meets in the Miami Superior Courtroom, Courthouse, Peru, Indiana.

Needs/ Priorities: People of limited means have all types of legal problems, and therefore have a need for representation in a wide range of legal problems. However, some of these needs are in greater demand and are more pressing than others. Therefore, priorities are needed to encourage the private bar to be willing to take on those more pressing problems. The needs within District 5 can be, in part, determined by the demand for services at the existing service providers. These are shown in Appendix 1. There are certain issues whose needs are presently being met by the current service providers. The needs that are not being adequately addressed shall be the District's priorities.

The Committee has identified and prioritized the legal needs of the District as follows:

1. Dissolution of Marriage
2. Post-Dissolution Issues (Custody, Visitation, Support)
3. Housing (Landlord/Tenant, Home Ownership)
4. Consumer Issues
5. Health Issues/Government Benefits
6. Guardianships

B. DATA

Committee Members:

Daniel C. Banina

Chairman

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Past Pro Bono Recipient
316 West Sixth Street
Peru, IN 46970
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2. Governance: The meetings are chaired by Judge Daniel C. Banina. Each County within the district shall be represented at all meetings by the bar association president of each county or his designee. Each legal service provider providing services within the district shall send a representative to each meeting. There shall be at least one member who has been a recipient of pro bono services. Membership on the committee shall be perpetual for all bar presidents within the district. Non-lawyers on the committee shall serve at their pleasure.

3. History/Background (Current Service Providers)

-Legal Services Program of Northern Indiana, Inc. (LSPNI), is an LSC funded program. Since 1991, LSPNI has been involved in promoting pro bono representation. It has organized a panel of pro bono attorneys in the “Community Volunteer Lawyers Panel” It has recruited attorneys in every county in its service area including all the counties comprising District 5 except Tipton County. Legal Services has policies and procedures for screening and referring cases to pro bono attorneys, following up on those cases, recording the hours the attorneys spend on each case, assessing client satisfaction, including a client grievance procedure. It also provides for community recognition of the pro bono attorneys and provides certain supportive services including malpractice insurance and a litigation fund for extra ordinary expenses.

-Miami County attorneys joined the Volunteer Lawyers Panel through the Legal Services Program of Northern Indiana in 1997. Currently, all Miami County attorneys eligible for this program are participating. Prior to 1997, Miami County did not have an organized pro bono plan.

-Howard County attorneys had historically participated in the Howard County Legal Aid Society organized through the Howard County Bar Association. Approximately 40 - 50% of the eligible attorneys participated in the program. The program was reorganized in 2000 and currently meets with clients two afternoons each month on a first come first served basis.

-Fulton, Cass, Wabash and Tipton counties do not have an organized pro bono plan although some attorneys in these counties do participate in the Volunteer Lawyers Panel through the Legal Services Program of Northern Indiana.

4. Plan Administrator – The current plan administrator is Chairman, Daniel C. Banina, Judge, Miami Superior Court. This position is presently a non-funded position.

5. Monitoring Role –

Quality: the quality shall be determined in part by client satisfaction.

Clients referred through Legal Services will be sent a “Client Satisfaction Survey” when their case is closed. The survey will ask for the client’s general satisfaction about the services provided. This will include how well they felt they attorney handled the case, how well the attorney kept them informed about the progress of their case, and if they would consider asking for help through the Pro Bono Program in the future, should the need arise. The results of the surveys will be compiled and provided at least annually to the plan administrator.

Quantity: the quantity of services shall be measured in three ways:

(i) Number of attorneys participating

The goal is to have all attorneys participate in the provision of pro bono services. The initial objective, however, will be to have at least one third of the private bar in each county participating in an organized pro bono program by June 30, 2001. The majority of these attorneys should be willing to handle the types of cases identified as priority need within the district.

(ii) Number of clients served

The goal is to have each pro bono attorney handle three (3) cases each year. The initial objective is to have an average placement of two (2) cases per pro bono attorney handled by June 30, 2001.

(iii) Number of hours

The goal is to have attorneys meet the ABA standard of 50 hours of pro bono work per year. The attorneys will be asked to report the number of hours they spent on each assigned case at the time the case is closed. The total number of hours donated in each county will be reported to the Plan Administrator no less than annually.

(c) Evaluation of Costs:

YET TO BE DETERMINED

(d) Recording of client stories

Legal Services or the other referring programs will maintain a list of cases they believe are significant or which have interesting/sympathetic stories. The attorneys should also report any cases they believe are significant, especially interesting or sympathetic back to the referring program. These cases will be summarized in such a manner as to preserve client confidentiality and reported to the Plan Administrator at least annually.

C. Existing Services, Programs, and Funding Sources

See Appendix 2

D. PROBLEM STATEMENTS/RECOMMENDATIONS

Contents:

1. Lack of knowledge about legal rights, responsibilities and availability of legal assistance.
2. Inability to afford representation.
3. Lack of knowledge and confidence for pro se litigants.
4. Insufficient number of attorneys involved in an organized pro bono plan.
5. Situations in which Legal Services or Legal Aid has a conflict.
6. Inability or limited ability to speak English.
7. Need to increase the number of banks and attorneys participating in IOLTA.

Problem/Barrier #1

Lack of knowledge about legal rights, responsibilities and availability of legal assistance to persons of limited means. Inability to recognize when the services of a lawyer are needed.

Supporting Data:

- Legal Needs Study of the Poor in Indiana, 1992
- The Legal Needs of Low-Income Hoosiers, October 1999
- US Census, July 1996 estimates of Poverty Populations (See Appendix 3)
- Legal Services Statistics for District 5 (See Appendix 1)

Activities to address the Problem:

A. The committee will plan presentations for persons of limited means regarding their rights and obligations under the law.

B. Support Legal Services efforts and provide at least one site in each county for a pamphlet of Legal Service's pamphlets and other informational pamphlets. As many as possible should be made available in Spanish as well as English.

C. Promote and support the Legal Services' toll free number for use throughout all of District 5.

Description:

Encourage each county bar association within District 5 to hold at least one informational meeting per year. The committee member in each county will be responsible for locating an appropriate forum. The committee member will coordinate the publicity for the meeting which can include, but is not limited to: contacting social service providers, public service announcements, press releases, public notices in the courthouse and notifying the private bar.

The committee member for each county shall decide the topic and be responsible for recruiting a speaker or speakers. Information shall be given not only concerning

individual rights, but also responsibilities, how to avoid common problems, and if appropriate, how to represent oneself in these matters. A handout shall be available and offered to those attending summarizing the presentation and shall be made available to any other interested persons upon request. In most instances, it should be possible to utilize materials that have already been prepared by other providers such as the Indiana Bar Association, Legal Services, etc. Alternatively, the committee members or the speaker could prepare the hand out materials.

Every informational meeting will also present information about the legal resources available to persons of limited means in that county.

Problem/Barrier #2:

Inability to afford representation.

Supporting Data:

- Legal Services statistics from 1999 show that less than one-fourth of the income eligible applicants in District 5 were able to obtain representation. (See Appendix 1)
- Legal Needs Study of the Poor in Indiana, 1992
- The Legal Needs of Low-Income Hoosiers, October 1999

Activities to Meet the Need:

A. Case Referral:

People of limited means will obtain representation by case referral to pro bono attorneys. Client eligibility will be determined by Legal Services, which will then refer the client to a volunteer attorney depending on basic merit, case type and attorney availability. The committee is requesting funding for a half-time pro bono coordinator to help coordinate the referral, follow-up and monitoring of cases in district five.

In Howard County, persons of limited means will receive representation through direct contact with a lawyer. The Howard County Legal Aid attorney will determine financial eligibility using guidelines substantially similar to those used by legal assistance providers

Attorneys in all counties will be encouraged to refer possible pro bono cases to Legal Services for eligibility determination and possible referral. The attorneys are also encouraged to contact Legal Services directly if they have a client they would like to represent pro bono and want the advantages (such as malpractice insurance) of having that client go through the Volunteer Community Lawyer Panel.

B. Interviewing and determining eligibility of prospective pro bono clients:

Legal Services will be responsible for interviewing prospective clients and determining client eligibility for pro bono referrals. Every pro bono attorney is also free to decline representation if they have a conflict, or have other reasons they cannot provide representation.

C. Encourage pro bono attorneys to file *informa pauperis* when necessary and provide the attorney with sample forms upon referral of any client when the referring agency deems it might be appropriate and/or upon request by the attorney.

Problem/Barrier # 3:

Lack of knowledge and confidence for pro se litigants to effectively represent themselves.

Supporting Data:

Report on the National Conference on Pro Se Litigation, November 1999

Activities to Meet the Need:

A. Make presentations to persons of limited means regarding their rights and obligations under the law. (See problem #1)

B. Forms for filing various actions pro se should also be readily available. Forms for filing in forma pauperis should also be readily available.

C. The commitment of the Bench is essential in any matter being handled pro se. The committee shall seek and encourage the cooperation and support of the courts in each county to make pro se representation work.

Description:

In relatively simple matters such as uncontested divorces where there are no children of the marriage, protective orders and small claims issues, litigants will be encouraged to represent themselves. The courts shall be encouraged to adopt standardized forms for pro se litigants in cooperation with the statewide effort to develop such forms. Forms and information concerning pro se representation will be made available through the clerk's offices, legal service providers and legal aid programs.

For uncontested matters that may be more complex, such as uncontested divorces with children, the committee will establish pro se clinics or work shops. These would be similar to the informational clinics but would be available only to clients who had contacted Legal Services or Legal Aid, and had been determined eligible. These clients' cases would be placed on a waiting list and notified about the next available workshop. These workshops will be staffed jointly by Legal Services' attorneys, and pro bono attorneys.

Problem/Barrier #4

Insufficient number of attorneys involved in an organized pro bono plan to meet the need.

Supporting Data:

- Appendix 1
- Appendix 4
- Legal Needs Study of the Poor in Indiana, 1992
- The Legal Needs of Low-Income Hoosiers, 1999

Activities to Meet the Need:

A. Current recruiting and recognition efforts should continue through Legal Services. The Bench and Bar Association in each county should take an active roll encouraging attorneys to participate.

B. Provide intake, screening, and referral of prospective clients: This time saver for the attorneys would continue to be provided by Legal Services.

C. Matching cases with individual attorney expertise: Legal Services will be responsible for maintaining a list of pro bono attorneys in District 5, the types of cases they are willing to handle and matching clients with the attorneys.

D. Provide resources for litigation and out-of-pocket expenses by helping to fund the extraordinary litigation expense fund maintained by Legal Services.

E. Educational Opportunities: The committee will provide legal education and training for pro bono attorneys in specialized areas of law useful in providing pro bono civil legal service. It will sponsor and fund a district wide CLE for pro bono panel members at either a significantly reduced rate (or possibly free).

F. Mentors: The committee will encourage experienced attorneys to mentor attorneys handling pro bono cases in areas where they lack expertise. Legal Services will maintain a list of attorneys and the areas of expertise for which they are willing to act as mentors. When a volunteer lawyer need additional expertise, they can request such help from Legal Services which will then attempt to match the pro bono attorney with an attorney with the needed expertise.

G. Malpractice Insurance: The committee will help encourage attorneys to volunteer by helping to fund the malpractice insurance provided to the pro bono panel members

through Legal Services.

H. Provide Community Recognition of Pro Bono Service: All members of the pro bono panel will be recognized in an advertisement to be run in the primary newspaper in every county in District 5. This shall be coordinated with other Law Day activities, such as those planned by the county Bar Associations, etc.

Problem/Barrier # 5:

Conflict situations in which Legal Services has a conflict and cannot process an application for a pro bono representation prevent many people from being able to obtain an attorney.

Supporting Data:

-Appendix 1

Activities to Meet Need:

A. In instances where Legal Services has a conflict, one or two attorneys will be recruited in each county who would be willing to take applications, and determine eligibility for service under the Legal Services guidelines. Clients would be referred to one of these attorneys by Legal Services only in instances where Legal Services has a conflict of interest. The client would be sent a referral letter telling him/her of the conflict and making the referral. The attorney would then determine the client's eligibility for service and if eligible, either handle the case himself/herself, or find the client a volunteer attorney from the pro bono panel.

Problem/Barrier # 6

Inability or limited ability to speak English inhibits and/or prevents many low-income people from being able to effectively access the justice system.

Supporting Data:

-US Census Data for District 5 (see Appendix 3)

Activities to Meet the Need:

The district committee is requesting funding to hire a trained paralegal fluent in Spanish.

This person would perform out reach and educational activities. These activities would include: contacting and networking with other organizations presently serving the Hispanic community, informing them of the availability of legal assistance, working with them and the committee members to organize informational meetings on various legal topics of interest to the Hispanic community. The paralegal would also translate pamphlets and handouts and distribute educational pamphlets that have been translated into Spanish. This individual would be responsible for doing intake on Hispanic clients, would contact Volunteer attorneys and assist them in representing Spanish speaking clients. This would include the development of a list of other resources available to Hispanic clients, including additional resources an attorney could contact for translations. This person would work out of the Legal Services office and be supervised by a staff attorney.

Problem/Barrier #7

Need to increase the number of banks and attorneys participating in IOLTA. If the amount of funds available for promoting and encouraging pro bono service is to be increased, increased participation is essential.

Supporting Data:

-Appendix 7

Activities to meet the need: Every committee member shall encourage their colleagues and the banks with which they do business to participate in the IOLTA program. Recruit a banker to work with and encourage other banks to participate.

Evaluation of Activities:

Five measures will be utilized:

1. The over all number of cases referred and handled by pro bono attorneys.
2. The percentage of attorneys who join the panel compared to the total number of attorneys in each county and the number who then actually accept cases.
3. Determine the approximate value of the services provided. As cases are closed, the attorneys will report the hours they spent on each case. A reasonable hourly rate will be assigned to determine the value of the donated services. For certain types of cases, a flat rate may be assigned as the case value up to a given number of hours and additional time

valued at the hourly rate. An attorney who accepts a referral and meets with the client, but is unable to represent the client for whatever reason shall be credited with at least one hour.

4. The recovery or award a client receives shall be determined, when possible. This would include such things as the monthly value of a child support order, the value of items recovered from a landlord who wrongly held possessions, and any amounts the client was able to avoid having to pay because of the representation.

5. Assure adequate monitoring, follow-up, and measure client satisfaction: Cases referred through Legal Services will be monitored on a periodic basis, ideally every 60 days, more or less depending on the type of case and estimated time it will take to resolve any given type of case. Clients will be sent a survey form to assess their satisfaction with the services received. The results will be compiled and reported to the Program Administrator annually and used to help determine the effectiveness of the program.

Implementation:

Most of the above is already in place and operating in connection with Legal Services. It needs additional support and to be expanded. The remainder (the conflicts panel) shall be in place by June 30, 2001

Budget:

Appendix 6

List of Appendices

1. Legal Services Program Statistics for 1999
2. Existing Service Programs
3. US Census Data for District 5
4. Number of Attorneys in each county in District 5 and the number participating in an organized pro bono panel.
5. Hallmarks of an effective Pro Bono program.
6. Budget and Job Description for Outreach/Pro Bono Coordinator position
7. Summary of Bank Participation in the IOLTA program in District 5 and the first quarter IOLTA remittance.

Legal Service Program of Northern Indiana, Inc.
DISTRICT 5 STATISTICS
January 1, 1999 to December 31, 1999

Applications from Income Eligible Clients*

Case Types	Number of Cases
Consumer (Bankruptcy, Collection, Contracts)	50
Employment (Job Discrimination, other employment)	16
Custody/Visitation	59
Divorce	218
Other Family (Guardianship, Support, Protective Order, misc.)	66
Juvenile (CHINS, emancipation, misc.)	8
Health (Medicare, Medicaid, misc.)	42
Housing (Landlord/Tenant, Home Ownership)	66
Government Benefits (AFDC, Social Security, Veterans, etc.)	56
Miscellaneous	33
TOTAL	614

*Does not include Tipton County and includes some older adult cases in which eligibility is without regard to income.

Note: 120 clients were referred without any determination of eligibility because of conflicts.

Cases Opened by Legal Services *

Case Type	Number of Cases
Consumer	8
Divorce	49
Health	29
Housing	6
Government Benefits	10
TOTAL	110

*includes some older adult cases in which eligibility is without regard to income

CURRENT INCOME ELIGIBILITY GUIDELINES

<u>Household Size</u>	<u>Monthly Gross Income</u>
1	0 - 858
2	859 - 1152

3 1153 - 1446
4 1447 - 1740
5 1741 - 2033
6 2034 - 2327
7 2328 - 2621

Additional Members Add: 292

Rev. 4/25/00

125% OF POVERTY

EXISTING SERVICES/PROGRAMS

A. Legal Services Program of Northern Indiana, Inc, Lafayette Office

Mailing Address 639 Columbia Street, P.O. Box 1455
Lafayette, IN 47902-1455

Phone: (765) 423-5327 (800) 382-7581 (toll free)

Contact Person: Edward W. Stachowicz, Managing Attorney_____

Sponsoring Agency: Legal Services Program of Northern Indiana, Inc.

Agency Director: Kevin McGrath, Executive Director **Phone:** (219) 234-8121

Service/Program Information

Target Population: Low-income (under 125% OMP poverty) in all of District 5 except Tipton County, and Elderly people (age 60 and over) in all of District 5.

Eligibility Requirements: Income and resources (except older adults), residency and case type.

***Estimate # of persons Served or Impacted:** See Appendix 1

Service Area: 14 Counties including all of District 5 except Tipton County.

Type of Service/Program: LSC funded private non-profit law office.

***Estimate of Expense per Year:** \$35,000 for operation of the Volunteer Community Lawyers Panel at its current level.

Funding Source(s): Legal Services Corporation, Indiana Civil Legal Aid Fund, Area IV and Area V Agencies on Aging

Service /Program Description: See Appendix 3

How does this organization participate in the coordination of services and what role do they play in the development of the plan?

Since 1991, Legal Services Program of Northern Indiana, Inc. (LSPNI) has been involved in promoting pro bono representation. It has organized a panel of pro bono attorneys, the "Community Volunteer Lawyers Panel. It has recruited attorneys in every county in its service area, has policies and procedures for screening and referring cases to pro bono attorneys, following up on those cases, recording the hours the attorneys spend on each case, assessing client satisfaction, including a client grievance procedure. It also provides for community

recognition of the pro bono attorneys and provides certain supportive services including a litigation fund for extra ordinary expenses and malpractice insurance.

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Legal Services Program of Northern Indiana, Inc.
And the
Volunteer Community Lawyers Panel

Legal Services provides high quality free legal representation to low-income and elderly individuals in 24 northern Indiana counties including all Judicial District 5 County. Legal Services assists people who have no other means of obtaining a private attorney with legal problems in areas such as housing, income protection, consumer, health and family law. Case type priorities are established from a survey sent to clients, judges, lawyers and social service agencies every three years. The Program provides advice and counsel to clients and advocacy before administrative bodies and representation in various state and federal courts.

Legal Services sponsors a pro-bono program, the “Volunteer Community Lawyers’ Panel” (VCLP) with members in each of the District 5 counties. Panel members agree to handle up to three (3) cases a year on a pro bono basis on referral from Legal Services. Legal Services provides screening for income and resource eligibility, type of case (as indicated by each panel member) and basic merit. Attorneys are periodically sent a “Status Report” form to update the Program on the progress of each referred case until the case is closed. Clients are sent a “Client Satisfaction Survey” form when a case is closed and there is an internal grievance procedure to resolve any disputes.

Legal Services also provides support and follow-up, a litigation fund for extraordinary expenses, malpractice insurance for each case referred, community recognition and an annual live CLE seminar at a greatly reduced price for panel members.

B. SERVICES PROVIDED PER COUNTY

1. CASS COUNTY PRO BONO OPPORTUNITIES

- Public Defenders provided in juvenile, mental health, juvenile and CHINS cases
- Cass County Bar Association has adopted the Volunteer Community Lawyers Panel and encourages registration of all Cass County lawyers with the program
- Lawyers on their own initiative periodically handle cases without a fee

2. FULTON COUNTY PRO BONO OPPORTUNITIES

- Some Fulton County lawyers are members of the Volunteer Community Lawyers Panel
- Other lawyers on their own initiative periodically handle cases without a fee
- Fulton Circuit Court Judge Douglas Morton hosts a weekly radio show explaining legal issues

3. HOWARD COUNTY PRO BONO OPPORTUNITIES

- Howard County lawyers reinstituted their Legal Aid Program in 2000. This program involves 24 Howard County lawyers who meet twice per month (the last Tuesday and Thursday of each month) at the Howard County Courthouse from 2:00 PM until 4:00 PM. Eligibility is limited to Howard County residents with weekly income less than \$300.00

4. MIAMI COUNTY PRO BONO OPPORTUNITIES

- Miami County lawyers are members of the Volunteer Lawyers Panel with 100% participation of eligible lawyers
- Court Appointed Special Advocate (CASA) program available to assist children in dissolution and juvenile matters
- Law libraries are available in the Miami County Courthouse and the Peru Public Library
- Small Claims Manuals are available in the county clerk's office
- Some pro se forms are available in the county clerk's office and also the Peru Public Library

5. TIPTON COUNTY PRO BONO OPPORTUNITIES

- Tipton County lawyers on their own initiative periodically handle cases without a fee
- Law library available in the Tipton County Courthouse
- CASA program available to assist children in dissolution and juvenile matters
- Tipton County Bar Association offers a free Speakers Bureau on legal issues to interested groups
- Pro se forms available in the Tipton County Clerk's Office for routine matters
- Tipton County Bar Association provides free "Legal Stuff You Need To Know" to all Tipton County graduating seniors
- Tipton County Circuit Court Judge Dane P. Nash hosts tours by of the Courthouse for elementary grades including a question and answer session on legal issues

6. WABASH COUNTY PRO BONO OPPORTUNITIES

- Some Wabash County lawyers are members of the Volunteer Lawyers Panel and the Wabash County Bar Association encourages their members to participate in this program
- The Wabash County Bar works with **Education For Conflict Resolution, Inc. of North Manchester, IN.** This conflict resolution program helps resolve disputes without lawyer involvement and in a mediation setting that has minimal costs to the parties.
- Small Claims Manuals and pro se forms are available in the clerk's office
- Law library available in the Wabash County Courthouse

US Census Data for District 5

US Census 1996 estimates

County	General Population (1997 est.)	Poverty Population	Hispanic Population*
Cass	38,573	3,883	297
Fulton	20,351	1,728	182
Howard	83,586	8,173	1,414
Miami	33,199	3,528	612
Tipton	16,395	1,132	153
Wabash	34,525	2,628	393
Totals	226,629	21,072	3,051

*These estimates of the Hispanic population are considered low.

Legal Services Program of Northern Indiana, Inc.
Attorneys in District 5 involved in the Volunteer Community Lawyer's Panel

Legal Services has worked with the judges in Cass, Fulton, Miami, and Wabash Counties to promote the VCLP, and to recruit new members. The Director of Volunteer Programs has made presentations to the Fulton, and Wabash County Bar Associations to recruit new VCLP members. Presently the number for attorneys on the panel in each county in District V is:

County	Number on Panel	Number of attorneys in County
Cass	6	40
Fulton	4	14
Howard*	0	74
Miami	17	23
Tipton	0	16
Wabash	3	24
Totals	30	191

* Howard county has its own Legal Aid Program with 23 attorneys involved in the program.

Hallmarks of an Effective Pro Bono Program

Ultimately, the measure of success for a legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. The following hallmarks are characteristics that enhance a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

1. Ownership by the local bar association and by the bench. The association believes the program is necessary and beneficial. The bar association makes a dual commitment: to management of the program and to participation in the program.
2. Centrality of client needs. The mission of the program is to provide high quality free legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available. The staff and volunteers are respectful of clients and sensitive to their needs.
3. Program priorities. The program engages in a priority setting process that determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to legal resolution. The program calls on legal services and other programs serving low-income people to assist in this process.
4. Direct representation component. The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.
5. Coordination with all LSC funded legal services programs and local legal aid programs. The program works cooperatively with the local funded legal services program. The partnership between the legal services/legal aid programs and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.

6. Accountability. The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s) and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.

7. Continuity. The program has a form of governance that ensures the program will survive changes in bar leadership, and has operational guidelines that enable the program to survive a change in staff.

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8. Cost-effectiveness. The program maximizes the level of high quality legal services it provides in relationship to the total amount of funding received.

9. Minimization of barriers. The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

10. Understanding of ethical considerations. The program operates in a way that is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided.

11. ABA Standards. The program should be designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

Pro Bono Coordinator/Outreach Coordinator – District Five

The Pro Bono Coordinator/Outreach Coordinator is a full time paralegal level position. This position requires paralegal training and fluency in Spanish. The position will work out of the Legal Services office and be supervised by a Legal Services' attorney. The position includes the following duties and responsibilities:

Pro Bono Coordinator: (Half time)

- 1) Recruiting volunteer attorneys,
- 2) Making case referrals to volunteer attorneys,
- 3) Monitoring cases assigned to volunteer attorneys,
- 4) Public Relations – informing and educating the public about the availability and activities of pro bono attorneys, and
- 5) Other duties as may be assigned.

Outreach Coordinator: (Half time)

- 1) Networking with the Spanish-speaking community,
- 2) Translate community legal education materials,
- 3) Organize informational meetings concerning legal topics of interest to the Hispanic community,
- 4) Assist in intake with Spanish-speaking applicants,

- 5) Assist volunteer attorneys in case preparation,
- 6) Develop a roster of Spanish language translating resources and a list of the other resources available to Hispanic clients, and
- 7) Other duties as may be assigned.

2001 Budget - ILOTA Grant

Appendix 6
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	Annual	% Time on ILOTA Grant	Salary Amount <u>ILOTA Grant</u>	F.I.C.A. <u>0.0765</u>	Disability Insurance <u>0.0145</u>	Workman's Compensati on <u>0.0019</u>	Total Health Insurance <u>Insurance</u>
Paralegal	23,242	100%	23,242	1,778	337	3	6,000
Pro Bono Coordinator	0	50%	0	0		0	0
Outreach Coordinator	<u>0</u>	50%	<u>0</u>	<u>0</u>		<u>0</u>	<u>0</u>
Totals	<u>23,242</u>		<u>23,242</u>	<u>1,778</u>	<u>337</u>	<u>3</u>	<u>6,000</u>

EXPENSE
S

ILOTA Grant

50010 Salary - Attorney	
50020 Salary - Clerical	
50030 Salary - Administration	
50040 Salary - Paralegal	23,242
50050 Salary - Other	0
50090 Outside Training for Clients	
Total Salaries	23,242
51010 Payroll Taxes	1,778
51020 Health Insurance	6,000
51030 Worker's	3

Compensation	
51040 Disability Insurance	<u>337</u>
Total	8,118
Fringes	
 TOTAL SALARIES & FRINGES	 31,360
 53010 Rent - Building	 3,700
53015 Rent - Parking	
53020 Electricity	300
53024 Gas	200
53026 Water	20
53030 Janitorial	400
54030 Repair & Maintenance - Computer	
55010 Office Supplies	600
55020 Postage	250
55030 Telephone	1,200
55040 Outside Printing	
57010 Travel - Local	1,000
57050 Training - Staff	
58030 Other Dues	
58040 Subscriptions & Publications	
59010 Advertising	
59060 Miscellaneous Expense	
60020 Equipment	
Total Overhead	7,670
 TOTAL	 <u>39,030</u>

District 5
Summary of Bank Participation in the IOLTA Program in District 5
As of November 23, 1999

1. Bank One Indiana
2. Lawrence Bank 106 North Market
Street P.O. Box 502 North Manchester, 46962 Wabash County
3. American Trust Federal Savings Bank
20 West Fifth Street Peru, 46970 Miami County
4. Union Planters Bank
5. The Huntington National Bank of Indiana
6. Key Bank
7. Union Federal
8. First National Bank & Trust P.O. Box 9012
322 North Main Street Kokomo, 46904-9012 Howard County
9. Security Federal Savings Bank 314 Fourth Street
P.O. Box 420 Logansport, 46947 Cass County
10. First Federal Savings Bank 1205 North Cass Street
P.O. Box 419 Wabash, 46992 Wabash County

**First Quarter of Calendar Year 2000
IOLTA Remittance
District 5**

County	Remittance	% of Total
Cass	\$74.82	0.059%
Fulton	\$5.85	0.005%
Howard	\$741.23	0.587%
Miami	\$46.87	0.037%
Tipton	\$9.21	0.007%
Wabash	\$90.80	0.072%
District Total	\$968.78	0.767%
State Total	\$126,368.55	